

ADVERSARY PROCEEDING COVER SHEET (Instructions on Reverse)		ADVERSARY PROCEEDING NUMBER (Court Use Only)
PLAINTIFFS	DEFENDANTS	
ATTORNEYS (Firm Name, Address, and Telephone No.)	ATTORNEYS (If Known)	
PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	PARTY (Check One Box Only) <input type="checkbox"/> Debtor <input type="checkbox"/> U.S. Trustee/Bankruptcy Admin <input type="checkbox"/> Creditor <input type="checkbox"/> Other <input type="checkbox"/> Trustee	
CAUSE OF ACTION (WRITE A BRIEF STATEMENT OF CAUSE OF ACTION, INCLUDING ALL U.S. STATUTES INVOLVED)		
NATURE OF SUIT (Number up to five (5) boxes starting with lead cause of action as 1, first alternative cause as 2, second alternative cause as 3, etc.)		
<div style="display: flex; justify-content: space-between;"> <div style="width: 48%;"> <p>FRBP 7001(1) – Recovery of Money/Property</p> <input type="checkbox"/> 11-Recovery of money/property - §542 turnover of property <input type="checkbox"/> 12-Recovery of money/property - §547 preference <input type="checkbox"/> 13-Recovery of money/property - §548 fraudulent transfer <input type="checkbox"/> 14-Recovery of money/property - other </div> <div style="width: 48%;"> <p>FRBP 7001(6) – Dischargeability (continued)</p> <input type="checkbox"/> 61-Dischargeability - §523(a)(5), domestic support <input type="checkbox"/> 68-Dischargeability - §523(a)(6), willful and malicious injury <input type="checkbox"/> 63-Dischargeability - §523(a)(8), student loan <input type="checkbox"/> 64-Dischargeability - §523(a)(15), divorce or separation obligation (other than domestic support) <input type="checkbox"/> 65-Dischargeability - other </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(2) – Validity, Priority or Extent of Lien</p> <input type="checkbox"/> 21-Validity, priority or extent of lien or other interest in property</div> <div style="width: 48%;"> <p>FRBP 7001(7) – Injunctive Relief</p> <input type="checkbox"/> 71-Injunctive relief – imposition of stay <input type="checkbox"/> 72-Injunctive relief – other </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(3) – Approval of Sale of Property</p> <input type="checkbox"/> 31-Approval of sale of property of estate and of a co-owner - §363(h)</div> <div style="width: 48%;"> <p>FRBP 7001(8) Subordination of Claim or Interest</p> <input type="checkbox"/> 81-Subordination of claim or interest </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(4) – Objection/Revocation of Discharge</p> <input type="checkbox"/> 41-Objection / revocation of discharge - §727(c),(d),(e)</div> <div style="width: 48%;"> <p>FRBP 7001(9) Declaratory Judgment</p> <input type="checkbox"/> 91-Declaratory judgment </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(5) – Revocation of Confirmation</p> <input type="checkbox"/> 51-Revocation of confirmation</div> <div style="width: 48%;"> <p>FRBP 7001(10) Determination of Removed Action</p> <input type="checkbox"/> 01-Determination of removed claim or cause </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width: 48%;"> <p>FRBP 7001(6) – Dischargeability</p> <input type="checkbox"/> 66-Dischargeability - §523(a)(1),(14),(14A) priority tax claims <input type="checkbox"/> 62-Dischargeability - §523(a)(2), false pretenses, false representation, actual fraud <input type="checkbox"/> 67-Dischargeability - §523(a)(4), fraud as fiduciary, embezzlement, larceny <p style="text-align: center;">(continued next column)</p> </div> <div style="width: 48%;"> <p>Other</p> <input type="checkbox"/> SS-SIPA Case – 15 U.S.C. §§78aaa <i>et seq.</i> <input type="checkbox"/> 02-Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy case) </div> </div>		
<input type="checkbox"/> Check if this case involves a substantive issue of state law	<input type="checkbox"/> Check if this is asserted to be a class action under FRCP 23	
<input type="checkbox"/> Check if a jury trial is demanded in complaint	Demand \$	
Other Relief Sought		

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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

IN RE: **Pamela Burford,** **Debtor**

Chapter 13
Case#: 09-34274

Pamela Burford, Plaintiff
v.

Adv#:

Aegis Funding Corporation, Defendant

Complaint to Avoid Lien Pursuant to 11 U.S.C. § 544

Comes now the Debtor Pamela Burford pursuant to 11 U.S.C. §544 on her Complaint to Avoid the Aegis Funding Corporation Deed of Trust lien recorded in the Chesterfield County Circuit Court at Book 6792 Pages 62-79 on November 23, 2005. As grounds for her Complaint the debtor states as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. § 1334 and §157. This matter is a core proceeding pursuant to 28 U.S.C. § 157. Venue is appropriate to this matter pursuant to 28 U.S.C. § 1409.
2. Plaintiff, Pamela Burford (the "Plaintiff") is the debtor in the above Chapter 13 case having filed a voluntary petition on July 6, 2009.
3. Aegis Funding Corporation (the "Defendant") is a corporation conducting business in the Commonwealth of Virginia.
4. The debtor Pamela Burford and James Burford own real property located at 5201 S. Jessup Road, Richmond, VA 23832 in the County of Chesterfield. Pamela Burford and James Burford acquired an interest in the realty by Deed from Anthony Perry, Grantor. This Deed was recorded in the Chesterfield County Circuit Court on November 23, 2005 at Book 6796 Page 58. (Exhibit A)
5. Aegis Funding Corporation recorded a Deed of Trust on the realty located at 5201 S. Jessup Road, Chesterfield, VA 23832. The Deed of Trust recorded on November 23, 2005 at Book 6796 Pages 62 – 79 does not display an endorsement by either Pamela Burford or James Burford. (Exhibit B)
6. The Deed of Trust displays an endorsement by "Charles Burford" described as "the Borrower" on the above referenced Aegis Funding Corporation Deed of Trust.
7. On the date "the Borrower" endorsed the Deed of Trust as "Charles Burford", Charles Burford was not an owner of the realty located at 5201 S. Jessup Road, Chesterfield, VA 23832.

WHEREFORE, Plaintiff Pamela Burford prays that:

(1) This Court determine that the Aegis Funding Deed of Trust recorded on November 23, 2005 at Book 6796 Pages 62 – 79 be declared and be found to be an invalid Deed of Trust on the realty located at 5201 S. Jessup Road, Chesterfield, VA 23832.

(2) Order Aegis Funding Corporation to take all necessary steps to display on the public record at the Chesterfield County Circuit Court Recording Room and elsewhere that the Deed of Trust recorded on November 23, 2005 at Book 6796 Pages 62 – 79 is invalid.

(3) For such other and further relief as the Court deems just and proper.

Respectfully submitted:

Pamela Burford

By: /s/ Pia J. North Counsel

/s/ Pia J. North
Pia J. North

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